

Introduced by Senator Battin

February 23, 2006

An act to add Section 273i of the Penal Code, relating to child abuse.

LEGISLATIVE COUNSEL'S DIGEST

SB 1495, as introduced, Battin. Child abuse: financial crimes.

Existing law makes it a crime to use the personal identifying information of another person for unlawful purposes, without the consent of the victim.

This bill would make it a crime for a parent or guardian of a minor child to use the minor child's personal identifying information for unlawful purposes.

Because this bill would create a new crime, it would impose a state mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 273i is added to the Penal Code, to
- 2 read:
- 3 273i. (a) Any parent or guardian of a minor child who uses
- 4 personal identifying information of the minor child for unlawful

1 purposes is guilty of a crime punishable by imprisonment in the
2 county jail not to exceed one year, or in the state prison, or by a
3 fine not to exceed ten thousand dollars (\$10,000), or by both fine
4 and imprisonment.

5 (b) “Personal identifying information,” as used in this section,
6 means the name, address, telephone number, driver’s license
7 number, social security number, place of employment, employee
8 identification number, savings account number, or credit card
9 number of the minor child.

10 SEC. 2. No reimbursement is required by this act pursuant to
11 Section 6 of Article XIII B of the California Constitution because
12 the only costs that may be incurred by a local agency or school
13 district will be incurred because this act creates a new crime or
14 infraction, eliminates a crime or infraction, or changes the
15 penalty for a crime or infraction, within the meaning of Section
16 17556 of the Government Code, or changes the definition of a
17 crime within the meaning of Section 6 of Article XIII B of the
18 California Constitution.